THE HON'BLE SRI JUSTICE L.NARASIMHA REDDY

WRIT PETITION No.12389 of 2007

Date: 15.06.2007

Between:

Y.Narasimhulu

....Petitioner

and

The Joint Registrar-I and others.

....Respondents

O R D E R:

The petitioner claims to be the owner of Acs.10.00 of land in Sy.No.1-B1 of Gandlapalli Village, Chittoor District. According to him, when some dispute arose as to the ownership over the land, he filed O.S.No.151 of 1990 in the Court of the Principal Subordinate Judge, Chittoor against the District Forest Officer and the Andhra Pradesh State Road Transport Corporation and the suit was decreed on 25.09.1995. It is represented that the judgment of the trial Court was upheld by this Court as well as the Hon'ble Supreme Court.

The grievance of the petitioner is that when he submitted certain documents for registration before the first respondent, an objection is raised as to his competence to alienate the land on the ground that the revenue records contain an entry to the effect that the land belongs to the Government. He seeks appropriate directions in this regard.

Heard the learned counsel for the petitioner and the learned Government Pleader for Revenue.

How-so-ever, useful and binding the entries in the revenue records may be, it cannot be treated as final words on the title of an individual vis-à-vis any landed property. When certain doubt emerged as to the title of the petitioner, he approached the civil Court and obtained a declaratory decree. It is said to have become final.

Even otherwise, the first respondent cannot refuse to receive or admit the documents for registration on the doubt expressed by him as to the title of the petitioner. The only provision, namely Section 22-A of the Registration Act, which empowered the Government to prohibit registration of documents in relation to the land notified therein, was held to be unconstitutional. As of now, except Section 5 of the Andhra Pradesh Assigned Lands (Prohibition of Transfers) Act, 1977, no other provision of law exists, which empowers the registering authority to refuse registration of the documents on the ground other than contained in the Registration Act and the Indian Stamp Act.

Hence, the writ petition is disposed of, directing the first respondent to receive the documents that may be presented by the petitioner in relation to the land referred to above, without raising any dispute as to title, but, after ensuring due compliance with the provisions of the Registration Act and the Indian Stamp Act. It is made clear that the documents would bind only those persons who are parties to it and not others.

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15.06.2007

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